GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Social Welfare Department - Sri M.V.Hari Prasad, the then Assistant Social Welfare Officer, Kadapa presently Deputy Director (SW) (under suspension) - Convicted by the Hon'ble II Additional Judicial Magistrate of First Class, Kadapa in C.C.No.190/2009, dated:18-08-2015 - Dismissal from service – Orders - Issued.

SOCIAL WELFARE (VIG) DEPARTMENT

G.O.MS.No. 7 **Dated: 20-01-2020**

Read the following:

1. Judgment of Hon'ble II Additional Judicial Magistrate of First Class, Kadapa in C.C.No.190/2009, Dated:18-08-2015.
2. Judgment of Hon'ble Principal District and Sessions Judge, Kadapa in Crl. Appeal No.99 of 2015, Dated:10-07-2017.
3. G.O.Rt.No.85, Social Welfare (Ser) Department, Dated:26-02-2018.
4. Orders of Hon'ble High Court in CRLRCMP No.3138/2017 in CRLRC No.1965/2017 Dated:12-07-2017.

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O R D E R:

Whereas, it has been brought to the notice of the Government that Sri M.V.Hari Prasad, the then Assistant Social Welfare Officer, Kadapa, Kadapa District presently Deputy Director (SW) is convicted U/s 248 (2) Cr.P.C. by the Hon'ble II Additional Judicial Magistrate of First Class, Kadapa in C.C No.190/2009, dt:18-08-2015 for the offence punishable under section 465, 468, 409, 420 IPC and 109 IPC, in connection with the irregularities committed in recommending for sanction of Post-Matric Scholarships pertaining to Institute of Medical Sciences and Technology, Kadapa.

2. And whereas, in the reference 1st read above, the Hon'ble II Additional Judicial Magistrate of First Class, Kadapa in its judgment dt:18-08-2015 in C.C.No.190/2009 held that –

> "In the result, accused A1 to A3 found guilty for the offence punishable under section 465, 468, 409, 420 IPC and 109 IPC and accordingly they are convicted U/s 248 (2) Cr.P.C.
>
> A1 to A3 are sentenced to undergo simple imprisonment for a period of one year for the offence punishable u/s 465 IPC.
>
> A1 to A3 further sentenced to undergo simple imprisonment for the period of two years and sentenced to pay fine of Rs.2000/- each for the offence punishable under section 468 IPC. In default of payment of fine the accused shall undergo simple imprisonment for the period of 15 days each.
>
> A1 to A3 further sentenced to undergo simple imprisonment for the period of two years and sentenced to pay fine of Rs.2000/- each for the offence punishable under section 409 IPC. In default of payment of fine the accused shall undergo simple imprisonment for the period of 15 days each.
>
> A1 to A3 further sentenced to undergo simple imprisonment for the period of two years and sentenced to pay fine of Rs.2000/- each for the offence punishable under section 420 IPC. In default of payment of fine the accused shall undergo simple imprisonment for the period of 15 days each. All the sentences shall run concurrently".

3. And whereas, Sri M.V.Hari Prasad, the then Assistant Social Welfare Officer, Kadapa (A-3) and presently Deputy Director (SW) has appealed in the Court of Hon'ble Principal Sessions Judge, Kadapa, under section 374 (3) of Cr.P.C., to set aside the conviction and sentences passed in C.C.No.190/2009, dt:18-08-2015. The Hon'ble Principal Sessions Judge, Kadapa, in Crl. Appeal No.99/2015, dt:10-07-2017 has dismissed the appeal confirming the judgment passed in CC No.190/2009, dated: 18-08-2015 on the file of Learned II Additional Judicial Magistrate of First Class, Kadapa.

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4. In the reference 3rd read above, the Government have issued orders placing Sri M.V.Hari Prasad, the then Assistant Social Welfare Officer, Kadapa and presently Deputy Director (SW) under suspension with effect from 10-07-2017, as he is kept in remand in Central Jail, Kadapa, from 10-07-2017 to 14-07-2017.

5. And whereas, Sri M.V.Hari Prasad, Deputy Director (under suspension) has filed petition before the Hon'ble High Court and the Hon'ble Court in the reference 4th read above has ordered as follows:

> "Having regard to the facts and submissions made and the issues raised in the grounds of revision, which require detailed examination, there shall be interim suspension of the substantive sentence of imprisonment alone and accordingly, the petitioner/A-3 shall be enlarged on bail on his executing a personal bond for a sum of Rs.20,000/- with two sureties in a like sum each to the satisfaction of the II Additional Judicial Magistrate of First Class, Kadapa, YSR Kadapa District".

6. And whereas, on consideration of facts and circumstances of the case, Government have decided that the penalty of dismissal from service shall be imposed on Sri M.V.Hari Prasad, the then Assistant Social Welfare Officer, Kadapa presently Deputy Director (SW) (under suspension), in terms of instructions issued vide Memorandum No.1718/Ser.C/75-1, General Administration (Ser-C) Department, dated:22-11-1975 read with G.O.Ms.No.2, General Administration (Ser-C) Department, dt:04-01-1999, with immediate effect.

7. Now, therefore, in exercise of the powers conferred under clause (x) of Rule 9 read with clause (i) of Rule 25 of the A.P.C.S. (CC&A) Rules, 1991, Government hereby dismiss Sri M.V.Hari Prasad, the then Assistant Social Welfare Officer, Kadapa presently Deputy Director (SW) (under suspension), from Government service with immediate effect as the said officer was found guilty for the offence punishable under section 465, 468, 409, 420 IPC and 109 IPC and accordingly convicted U/s 248 (2) Cr.P.C. by the Hon'ble II Additional Judicial Magistrate of First Class, Kadapa in C.C. No.190/2009, dt:18-08-2015.

8. The Director of Social Welfare, A.P., shall take further necessary action accordingly and furnish the compliance report to the Government immediately.

9. The following Notification shall be published in the extraordinary issue of the Andhra Pradesh Gazette, dated:20-01-2020.

NOTIFICATION

In exercise of the powers conferred under clause (x) of Rule 9 read with clause (i) of Rule 25 of the Andhra Pradesh Civil services (Classification, Control & Appeal) Rules, 1991, Government hereby dismiss Sri M.V.Hari Prasad, the then Assistant Social Welfare Officer, Kadapa presently Deputy Director (SW) (under suspension), from Government service with immediate effect as the said officer was found guilty for the offence punishable under section 465, 468, 409, 420 IPC and 109 IPC and accordingly convicted U/s 248 (2) Cr.P.C. by the Hon'ble II Additional Judicial Magistrate of First Class, Kadapa in C.C. No.190/2009, dt:18-08-2015.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

MUDDADA RAVI CHANDRA
SECRETARY TO GOVERNMENT

To
Sri M.V.Hari Prasad, the then Assistant Social Welfare Officer, Kadapa
presently Deputy Director (SW) (under suspension),
(through the Director of Social Welfare, Tadepalli, Guntur District
with a request to serve the G.O on the individual and
send the served copy with dated signature to the Govt.)
The Director of Social Welfare, Tadepalli, Guntur District.

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The Collector & District Magistrate, YSR Kadapa District, Kadapa.

Copy to:

The Commissioner of Printing, Stationery & Stores Purchase, Vijayawada
(with a request to publish the G.O. in the extraordinary Gazette and furnish 10 copies to Government).

The Director of Treasuries & Accounts, A.P., Vijayawada.

The Accountant General, A.P., Hyderabad.

SF/SC

//FORWARDED :: BY ORDER//

SECTION OFFICER